

# GUIDE TO APPLICATIONS FOR EXEMPTION FROM PART LOT CONTROL

under Sections 50 (5) of the  
Planning Act, R.S.O. 1990, C.P. 13, as amended

The City of Brampton  
Planning and Land Development Services-Third Floor  
Planning, Design and Development Department  
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## A. WHAT TYPE OF APPLICATIONS WILL BE ACCEPTED

The exemptions from part lot control are intended primarily to

- facilitate the division of blocks on registered plans of subdivision into townhouse, or semi-detached dwelling unit lots,
- facilitate the subdivision of commercial and industrial blocks on registered plans of subdivision, and,
- facilitate the creation of maintenance easements where side yard widths of less than 1.2 metres (4 feet) are permitted.
- applications involving the purchase of leased land.

For requests other than these common types of applications (i.e. correction of title, a charge, a lease or a lot addition) it is strongly recommended that the applicant undertake a pre-consultation with the Planning and Land Development Services Division of the City of Brampton Planning, Design and Development Department before filing an application. **Note: the fee schedule attached to the application form should be consulted regarding each of the various types of applications. Fees are calculated on a per application, per registered plan basis.**

## B. WHEN WOULD APPLICATIONS NOT BE ACCEPTED?

The Planning Design and Development Department will not accept any applications for exemption from part lot control which

- have the effect of creating additional lots within existing neighbourhoods or development areas unless the development proposed has been subject to a planning application under the *Planning Act* which clearly indicates the proposed changes to the lot configuration

and which involved public participation. (See Section 2 of the Application Form).

- do not conform to the City of Brampton Official Plan and Zoning By-law and or Minor Variance Application prior to City Council enacting the exemption from part lot control by-law. (See Section 2 of the Application Form).
- where site plan approval is required, applications for exemption from part lot control that create additional lots or blocks must be submitted after site plan approval is granted. Where site plan approval is not required, part lot control exemption applications must be submitted after the subdivision and/or condominium plan is registered.
- The Planning, Design and Department may not process exemption from part lot control applications that create additional lots or blocks, if it is deemed to be in the public interest to proceed through either the consent to sever or subdivision approval process.
- applications involving only one lot could be filed as a consent to sever application with the City of Brampton's Committee of Adjustment, however, these types of applications could also include the type of uncommon part lot control exemption applications previously mentioned, such as correction of title, a charge, a lease or a lot addition.

## IMPORTANT NOTICE-EXPIRY DATE

All by-laws passed which exempt lands from part lot control, will expire three year's after the date the by-law is passed. The expiry date will be included on the exemption by-law. Please ensure that all land transfers occur within 1 year of the expiry date.

## C. WHAT TO INCLUDE IN AN APPLICATION PACKAGE

An application package should include the following:

- a signed and dated covering letter provided by the applicant and attached to the application form



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outlining a brief description of the proposal and the reason for the proposed exemption.

- a signed and dated "Application for Exemption from Part Lot Control Submission Checklist" that is attached to the application form, and is necessary for staff to confirm that an application is complete before it is assigned to a planner,
- One original copy of the application form returned to the Planning and Land Development Services Division of the City of Brampton Planning, Design and Development Department along with six (6) copies.
- Seven (7) copies of a legal survey or plan of subdivision showing the lands to which the application for exemption from part lot control applies.
- Appropriate Fee in Accordance with Schedule A attached hereto.
- **With respect to applications creating new dwelling unit lots/blocks:** Seven (7) copies of a draft reference plan showing: (a) all existing and proposed easements (b) lot lines (c) setbacks to buildings and structures (d) poured concrete foundations (if applicable) (e) all other appropriate measurements and Three (3) copies of an Ontario Land Surveyor's Certificate indicating: (a) frontage at the street line and at the appropriate setback from the street line in accordance with the approved zoning by-law; (b) the area of each part shown on the draft reference plan (c) the use of each part.
- **With respect to applications creating maintenance easements where side yard widths are less than 1.2 metres:** Seven (7) copies of a draft reference plan showing: (a) all existing and proposed easements (b) lot lines (c) buildings and structures, including any porches and balconies. **All maintenance easements shall extend into the front yard and rear yards, to accommodate any applicable permitted porch and/or balcony encroachments, including an additional 1.2**

**metres of walk around area. Where there are no porches and/or balcony encroachments,**

**maintenance easements in the side yards will also extend 1.2 metres into the front and rear yards to accommodate a walk around area.**

- Seven (7) copies of an approved site plan for townhouse, commercial and industrial applications, if applicable.
- Seven (7) copies of an approved M-Plan.

## D. PROCESSING

1. The application is submitted to the Planning and Land Development Services Division, of the Planning Design and Development Department, and the applicant will be advised in writing if the application is incomplete and additional materials are needed. Note: Applications will not be processed further if they are deemed not to be complete.
2. The application is assigned to a development planner by the Director of the Planning and Land Services Division and the planner confirms that the application is complete, and circulates the application to internal City Departments and Divisions for comment and review.
3. The assigned development planner co-ordinates the review of comments and advises the applicant whether revisions to the application are required. If no revisions are required then the development planner prepares the by-law, and forwards it to the City of Brampton's Legal Services Department.
4. The City's Legal Services Department approves the by-law as to form and forwards it to the City Clerk's office for approval by City Council. The City's Legal Services Department is then responsible for registering the by-law, again, the applicant must finalize all land transactions within one year from the date of the passage of the by-law. Please note that the applicant will be responsible for the applicable registry fee.